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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 UNITED STATES OF AMERICA,
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Plaintiff,
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v.
14 ANTHONY CARLOS VALENCIA,
15
Defendant.

Case No. 1:20-CR-00048-NONE-SKO
**PRELIMINARY ORDER OF
FORFEITURE**

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17 Based upon the plea agreement entered into between plaintiff United States of America
18 and defendant Anthony Carlos Valencia, it is hereby ORDERED, ADJUDGED and DECREED
19 as follows:

20 1. Pursuant to 18 U.S.C. § 2253, defendant Anthony Carlos Valencia's interest in the
21 following property shall be condemned and forfeited to the United States of America, to be
22 disposed of according to law:

- 23 a. Pink Memorex 8GB thumb drive, seized from defendant by law enforcement
24 on or about October 31, 2018; and
25 b. Any additional thumb drives, SD cards, compact discs, cell phones, hard
26 drives, or other electronic storage devices containing visual depictions of
27 minors engaged in sexually explicit conduct and seized from defendant by law
28 enforcement on or about October 31, 2018.

2. The above-listed assets constitute property which contain visual depictions that have been mailed, or have been shipped or transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce, or which were reproduced using materials which have been mailed or so shipped or transported, by any means in violation of 18 U.S.C. § 2252(a)(2).

3. Pursuant to Rule 32.2(b), the Attorney General (or a designee) shall be authorized to seize the above-listed property. The aforementioned property shall be seized and held by the U.S. Customs and Border Protection, in its secure custody and control.

4. a. Pursuant to 18 U.S.C. § 2253(b), incorporating 21 U.S.C. § 853(n), and Local Rule 171, the United States shall publish notice of the order of forfeiture. Notice of this Order and notice of the Attorney General's (or a designee's) intent to dispose of the property in such manner as the Attorney General may direct shall be posted for at least thirty (30) consecutive days on the official internet government forfeiture site www.forfeiture.gov. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the order of forfeiture as a substitute for published notice as to those persons so notified.

b. This notice shall state that any person, other than the defendant, asserting a legal interest in the above-listed property, must file a petition with the Court within sixty (60) days from the first day of publication of the Notice of Forfeiture posted on the official government forfeiture site, or within thirty (30) days from receipt of direct written notice, whichever is earlier.

5. If a petition is timely filed, upon adjudication of all third-party interests, if any, this Court will enter a Final Order of Forfeiture pursuant to 18 U.S.C. § 2253, in which all interests will be addressed.

IT IS SO ORDERED.

Dated: April 27, 2021


UNITED STATES DISTRICT JUDGE

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